



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/407,878	09/29/1999	GASPER HERNANDEZ III	2925-324P	3326

30594 7590 12/24/2003
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER

YUAN, ALMARI ROMERO

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/407,878

Applicant(s)

HERNANDEZ III, GASPER

Examiner

Almari Yuan

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 07 October 2003.

2a) ☒ This action is **FINAL**.

2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-37 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-37 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Art Unit: 2176

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 10/07/03.
2. Claims 1-37 are pending in the case. Claims 1, 18, 19, and 20 are independent claims

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fake, Jr. et al. (USPN 5,826,062 – issued on 10/1998) in view of Daniel (USPN 6,272,549 B1 – filed on 05/1998), and in further view of Kang et al. (USPN 6,160,555 – filed on 11/1997).**

Regarding independent claim 1, Fake discloses:

In a system having a video screen energized according to a file of non-text display-generation data, a method for automatically translating a subset of said file of non-text display-generation data into text variables having values that represent characteristics of a desired one of indicators (Fake on col. 2, lines 26-42: teaches converting and displaying at a client workstation a multimedia mail message; the converted message contains textual material and non-text embedded material), the method comprising:

Art Unit: 2176

acquiring said file of non-text display-generation data; extracting groups of non-text data, representative of said indicators, respectively, from-said file of non-text display-generation data; identifying one of said groups of text data as corresponding to said desired indicator (Fake on col. 1, lines 49-60 and col. 2, lines 26-42: teaches converting mail message into text and non-text portions; storing non-text portions in non-text files and displaying converted message; the non-text files in the converted message are inserted (acquiring and extracting non-text) at positions corresponding to positions (indicator) where the non-text embedded material was encountered in the MIME mail message).

However, Fake does not explicitly disclose “translating said groups of non-text data into groups of text data”.

Daniel on col. 7, line 59 – col. 8, line 5: teaches an electronic mail environment for translating hexadecimal digits (non-text) into ASCII character (text) of the data within a packet.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Daniel into Fake to provide a way to translate hexadecimal digits into ASCII character of the data with a packet, as taught by Daniel, incorporated into the converting textual material message as ASCII, taught by Fake, in order to enhance the exchanging of electronic mail or data between computer systems.

However, Fake and Daniel do not explicitly disclose “plurality of indicators” and “converting the identified group of text data into a set of text variables having values representative of said characteristics of said desired indicator”.

Art Unit: 2176

Kang on col. 3, line 61 – col. 4, line 9: teaches plurality of text cursors and changing the text cursors with different visual cues to indicate desired type of character mode.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 2 and 24, Kang discloses:

connecting to said interface; submitting a request for predetermined arrangement of indicators on said video screen to said interface (Kang on col. 3, lines 31-52: teaches GUI (interface) and on col. 3, line 61 – col. 4, line 9, see figure 3: teaches user can indicate type of text cursor to be displayed);

in response to which said file of non-text display-generation data will be produced; and obtaining a copy of said file of non-text display-generation data (Fake on col. 1, lines 49-60 and col. 2, lines 26-42: teaches the non-text files are stored and can be obtained by reference in the displayed converted message).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake

Art Unit: 2176

and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 3 and 21, Kang discloses:

wherein the aspect of acquiring further includes: assuring, before submitting said request, that a cursor on said video screen is in a predetermined location on an input screen (Kang on col. 4, line 64 – col. 5, line 1: teaches cursor is stored in memory to indicate position of the cursor with the text-editing window).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 4 and 22-23, Fake discloses:

wherein the aspect of assuring includes: obtaining a copy of a file of non-text display-generation data corresponding to said input screen (Fake on col. 1, lines 49-60 and col. 2, lines 26-42: teaches non-text files can be obtained by reference in the displayed converted message); determining coordinates of said cursor in said file of text data corresponding to said input screen (Fake on col. 2, lines 38-42: teaches the non-text files in the converted message are inserted at positions corresponding to positions where the non-text embedded material was encountered in the MIME mail message);

translating said file of non-text display-generation data corresponding to said input screen into a file of text data (Daniel on col. 7, line 59 – col. 8, line 5: teaches

Art Unit: 2176

translating hexadecimal digits (non-text) into ASCII character (text) of the data within a packet).

toggling, if said coordinates of said cursor do not match said predetermined location, said cursor to said predetermined location (Kang on col. 6, lines 20-28: teaches toggling of a text cursor change that can be applied between different visual cue modes).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 5 and 25, Fake discloses:

wherein the aspect of extracting includes: parsing each string of data in said file of non-text display-generation data that is bounded at the beginning and at the end by predetermined data values to produce said groups on non-text data (Fake on col. 1, lines 49-60 and col. 2, line 62- col. 3, line 3: teaches the mail message is converted by extracting the non-text portions and storing the portions as non-text files to be referenced by the converted message).

Regarding dependent claims 6 and 26, Fake discloses:

wherein said predetermined data values represent an escape character (Fake on col. 1, lines 49-60: teaches non-text files stored as binary files; on col. 2, line 62 – col. 3,

Art Unit: 2176

line 3: teaches parsing MIME note with embedded non-text portions to be converted to a file object type).

Regarding dependent claims 7 and 27, Fake discloses:

filtering data that do not represent characteristics of an indicator out of said groups of non-text data (Fake on col. 3, lines 12-21: teaches parsing MIME note with non-text documents and converting non-text documents into a MIME note).

Regarding dependent claims 8 and 28, Daniel discloses:

wherein said non-text display data is hexadecimal data and said text data is ASCII data, and said aspect of translating translates from said hexadecimal data into said ASCII data (Daniel on col. 7, line 59 – col. 8, line 5: teaches an electronic mail environment for translating hexadecimal digits (non-text) into ASCII character (text) of the data within a packet).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Daniel into Fake to provide a way to translate hexadecimal digits into ASCII character of the data with a packet, as taught by Daniel, incorporated into the converting textual material message as ASCII, taught by Fake, in order to enhance the exchanging of electronic mail or data between computer systems.

Regarding dependent claims 9 and 29, Kang discloses:

wherein the aspect of identifying includes: retrieving a list of at least one trait that might be possessed by the identified group of text data corresponding to said desired indicator; and searching said groups of text data to find a match for one of the traits on said list (Kang on col. 3, line 61 – col. 4, line 9, see figure 3: teaches a list of a plurality of text cursors to indicate type of character modes and on col. 4, line 57 – col. 5, line 1:

Art Unit: 2176

teaches text cursor display state is store in memory to be retrieved and to be displayed as the type of character mode (trait) it was selected and the position within the text-editing window).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 10 and 30, Kang discloses:

wherein said trait is a coordinate combination on said video screen for said desired indicator (Kang on col. 3, line 61 – col. 4, line 9, see figure 3: teaches a list of types of text cursors for different characters modes (traits)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 11 and 31, Kang discloses:

wherein the aspect of retrieving indexes a look-up table (LUT) (Kang on col. 4, line 55 – col. 5, line 1: teaches cursor stored in virtual display memory indexed by current memory address- pointer).

Art Unit: 2176

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 12 and 32, Kang discloses:

wherein, if no groups of data match a trait on said list, then said text variables are each set to text string descriptive of there being no such indicator displayed on said video screen (Kang on col. 4, line 57 – col. 5, line 1: teaches if input is not a character or a character mode selection information the text-editing window object will enter a cursor display state (retrieved from memory), otherwise the text-editing window object will enter character mode change? state).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 13 and 33, Fake discloses:

wherein the aspect of converting includes: recognizing ones of said text data representing an alphanumeric string to be displayed on said video screen; and setting one

Art Unit: 2176

of said text variables to be said alphanumeric string (Fake on col. 1, lines 49-64: teaches converting and displaying mail message including ASCII or EBCDIC textual material).

Regarding dependent claims 14 and 34, Kang discloses:

wherein the aspect of converting includes: recognizing ones of said text data representing a color to be displayed; retrieving, as a function of the recognized ones of said text data, a color descriptive alphanumeric string describing said color to be displayed; and setting one of said text variables to be said color-descriptive alphanumeric string (Kang on col. 6, lines 20-28: teaches color or blinking pattern of the text cursor may also be changed to obtain same results and on col. 3, line 61 – col. 4, line 9: teaches text is displayed based on selecting type of text cursor to indicator type of character mode).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 15 and 35, Kang discloses:

wherein the aspect of retrieving said descriptive alphanumeric text string indexes a look-up table (LUT) (Kang on col. 4, line 55 – col. 5, line 1: teaches cursor stored in virtual display memory indexed by current memory address- pointer; wherein the cursor is a text cursor indicating type of character mode (alphanumeric) to be displayed).

Art Unit: 2176

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 16 and 36, Kang discloses:

wherein the aspect of retrieving further includes: retrieving a version-number indicating a version of said interface; and retrieving, as a function of said version-number and said color-descriptive text string, a state-descriptive alphanumeric string descriptive of a state represented by said color-descriptive string (Kang on col. 4, line 55 – col. 5, line 7 and col. 6, lines 20-28: teaches update the screen with contains of the virtual display memory with stored cursor display state representing the type of character mode to be displayed and wherein the color or blinking pattern of the text cursor may also be changed to obtain same results).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding dependent claims 17 and 37, Kang discloses:

wherein the aspect of retrieving said alphanumeric state-descriptive string indexes a look-up table (LUT) (Kang on col. 4, line 55 – col. 5, line 1: teaches cursor display state is stored in virtual display memory indexed by current memory address-pointer).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding independent claim 18, Fake discloses:

In a system having a video screen energized according to a file of non-text display-generation data, a device for translating a subset of said non-text from said file of display-generation data into text variables having values that represent characteristics of a desired one of a plurality of indicators (Fake on col. 2, lines 26-42: teaches converting and displaying at a client workstation a multimedia mail message; the converted message contains textual material and non-text embedded material), the device comprising:

a programmed processor; and a first interface, between said processor and said user interface, to acquire said file of non-text display-generation data; said second file being one of said file of non-text display-generation data and a file corresponding thereto, by extracting groups of data, representative of said plurality of indicators, respectively, from said second file; identifying one of said groups as corresponding to

Art Unit: 2176

said desired indicator (Fake on col. 1, lines 49-60 and col. 2, lines 26-42: teaches converting mail message into text and non-text portions; storing non-text portions in non-text files and displaying converted message; the non-text files in the converted message are inserted (acquiring and extracting non-text) at positions corresponding to positions (indicator) where the non-text embedded material was encountered in the MIME mail message).

However, Fake does not explicitly disclose “translating said groups of non-text data into groups of text data”.

Daniel on col. 7, line 59 – col. 8, line 5: teaches an electronic mail environment for translating hexadecimal digits (non-text) into ASCII character (text) of the data within a packet.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Daniel into Fake to provide a way to translate hexadecimal digits into ASCII character of the data with a packet, as taught by Daniel, incorporated into the converting textual material message as ASCII, taught by Fake, in order to enhance the exchanging of electronic mail or data between computer systems.

However, Fake and Daniel do not explicitly disclose “plurality of indicators”; “converting the identified group of text data into a set of text variables having values representative of said characteristics of said desired indicator”; and “manipulate data in a second file”.

Kang on col. 3, line 61 – col. 4, line 9 and on col. 4, line 55 – col. 5, line 7: teaches plurality of text cursors and changing the text cursors with different visual cues to indicate desired type of character mode and wherein the text-editing object is used to

Art Unit: 2176

validate received input determining if it is not a character or a character mode select information for providing a way for editing (manipulating) text in a screen display).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kang into Fake and Daniel to provide a way to change text cursors with different visual cues to indicate desired type of character mode and edited received input, as taught by Kang, incorporated into the conversion of textual material, as taught by Fake and Daniel, in order to allow the user to enter and edit data more easily on a display of a computer system with an input device.

Regarding independent claims 19 and 20, the limitations of claims 19 and 20 are similar to those in independent claims 1 and 18 and are thus rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed 10/07/03 have been fully considered but they are not persuasive.

Regarding Applicant's remark's on page 12:

The Examiner has given a broad reasonable interpretation of the claimed feature "a file of non-text display-generation data" as a file containing non-text data such as binary material, media images, audio files, video clips, any non-readable text, etc. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Art Unit: 2176

Therefore, Fake does teach and suggest the claimed feature “file of non-text display-generation data”, on col. 1, lines 49-60 teaches “...non-text files”; wherein the “non-text material can be represented as media images, audio files, video clips, etc. (on col. 2, lines 53-62).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2176


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is (703) 305-5945.

The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AY
December 22, 2003


JOSEPH H. FEILD
PRIMARY EXAMINER